

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK  
MILBERG LLP,

Petitioner,

-against-

HWB ALEXANDRA STRATEGIES  
PORTFOLIO; HWB DACHFONDS –  
VENIVIDIVICI; HWB GOLD & SILBER PLUS;  
HWB PORTFOLIO PLUS; HWB RENTEN  
PORTFOLIO PLUS; HWB VICTORIA  
STRATEGIES PORTFOLIO; DRAWRAH  
LIMITED; NW GLOBAL STRATEGY; U.V.A.  
VADUZ; VICTORIA STRATEGIES PORTFOLIO  
LTD.; KLAUS BOHRER; and UTE KANTNER,

Respondents.

ANALISA TORRES, District Judge:

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19 Civ. 4058 (AT)

**ORDER**

On May 6, 2019, Petitioner filed a petition to vacate an arbitral award in accordance with 9 U.S.C. § 10. ECF No. 1. That same day, Petitioner filed a motion to vacate the arbitral award. ECF No. 3. On May 7, 2019, the Court ordered Petitioner to amend its petition to properly allege this Court's jurisdiction. ECF No. 9. On May 9, 2019, Petitioner filed an amended petition. ECF No. 10.

A petition to vacate an arbitration award must be "treated as akin to a motion for summary judgment." *D.H. Blair & Co. v. Gottdiener*, 462 F.3d 95, 109 (2d Cir. 2006); *see also ICC Chem. Corp. v. Nordic Tankers Trading A/S*, 186 F. Supp. 3d 296, 299–300 (S.D.N.Y. 2016). Accordingly, Petitioner must move for vacatur of the arbitral award in the form of a motion for summary judgment, in accordance with Rule 56 of the Federal Rules of Civil Procedure and Local Rule 56.1 of the Southern District of New York. Accordingly, it is hereby ORDERED that:

1. By **May 23, 2019**, Petitioner shall file and serve its motion for summary judgment, its statement pursuant to Local Civil Rule 56.1, and any additional materials with which it intends to support the petition, including the arbitration award, supporting documents, and any affidavits or declarations attesting that the exhibits are true and correct copies of what they purport to be;
2. By **June 10, 2019**, Respondents shall file their opposition, including their response to Petitioner's 56.1 statement; and
3. By **June 17, 2019**, Petitioner shall file its reply, if any.

It is FURTHER ORDERED that by **May 16, 2019**, Petitioner shall serve a copy of the amended petition and this order upon Respondents by personal service on an officer, director, managing or general agent, or cashier or assistant cashier or to any other agent authorized by appointment or by law to receive service, pursuant to N.Y. C.P.L.R. § 311. By **May 20, 2019**, Petitioner shall file an affidavit of such service.

The Clerk of Court is directed to terminate the motion at ECF No. 3.

SO ORDERED.

Dated: May 9, 2019  
New York, New York



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ANALISA TORRES  
United States District Judge